

STONE MAGNANINI

COMPLEX LITIGATION

November 4, 2015

VIA CM/ECF

The Honorable Alison J. Nathan
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Worldwide Directories, S.A. de C.V. et al. v. Yahoo! Inc. et al.*,
No. 14-cv-7349 (AJN)

Dear Judge Nathan:

We represent Plaintiffs in the above referenced matter. On November 2, 2015, Defendants submitted to this Court the translated decision of the First Division of the Supreme Court of Justice in the *Worldwide Directories* matter previously pending in Mexico. We write in response to Defendants' repeated attempts to recast Plaintiffs' allegations as an attempt to relitigate the underlying Mexican case in order to fit their preferred defense.

Although Plaintiffs do not take issue with the accuracy of the translation or authenticity of the Mexican Supreme Court decision, that decision has no bearing on the current matter before this Court, as it is the culmination of the illegal conduct by Defendants and their agents at both the trial and appellate levels of the Mexican judicial system.

The case pending before this Court involves repeated attempts by Defendants – an American corporation, an American law firm, and their Mexican counterparts – to purchase their desired result in the Mexican litigation in violation of the Racketeer Influenced and Corrupt Organizations Act (RICO). The complaint alleges a course of conduct including Defendants' attempts to bribe and pressure foreign public officials that violates RICO and the Foreign Corrupt Practices Act (FCPA). Plaintiffs have clear and convincing evidence of the RICO acts, including, but not limited to, a sworn affidavit from the Mexican trial court judge detailing Defendants' bribery, intimidation, and retaliation. Significantly, after months of being forced into hiding due to threats against his life and prosecution on trumped-up charges, the trial court judge in the Mexican case was recently cleared of any wrongdoing, demonstrating the lengths to which Defendants went in order to illegally manipulate the judicial process and obtain a victory. In light of the complaint's allegations that a variety of illegal acts designed to corrupt the Mexican judicial system originated in the United States, Plaintiffs are entitled to present evidence of their claims. Current applicable law favors application of RICO to the facts in this case.

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We thank Your Honor for your consideration of this matter and are available to discuss the above at the Court's convenience.

Respectfully submitted,

s/ Robert A. Magnanini
Robert A. Magnanini

cc: All Counsel of Record (via CM/ECF)